

# 📖 CHAPTER 125: **ESCORT** BUREAUS

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## 📖 § 125.01 LICENSE REQUIRED.

It is unlawful for any person to conduct, manage, operate, or maintain an **escort** bureau business within Metro Louisville unless licensed pursuant to this chapter.

(1994 Jeff. Code, § 125.01) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## 📖 § 125.02 PERSONS WORKING AS **ESCORTS**.

It is unlawful for any person to work or perform services as an **escort** in Metro Louisville unless a person has a current work identification card in accordance with § [125.04](#) and is employed by a licensed **escort** bureau or licensed as an **escort** bureau.

(1994 Jeff. Code, § 125.02) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

### § 125.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.


**ASSOCIATE.** Any person who controls, is controlled by, or is under common control with a licensee, including a person who, whether disclosed or not:

- (1) Is a general partner, a limited partner, officer, director or employer of the applicant or licensee; or
- (2) Directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies of the voting interest in the licensee or the applicant; or
- (3) Controls the election of a majority of the directors of the licensee or general partner of the licensee; or
- (4) Has contributed any capital to the licensee or applicant, unless the contribution is secured by collateral, the value of which is equal to the amount of the contribution, and unless there is a promise to repay the contribution on a strict schedule regardless of the earnings, profits or receipts, and said promise is kept within the limits of commercial banking practices;
- (5) Sponsors, procures or pays for advertisements, pays for or is contractually liable for telephone services, or promises or advances, loans, or expends any money to pay license fees, office or start-up expenses without collateral and a promise to repay as is required in subsection (4) of this definition.

**CODE ENFORCEMENT BOARD.** The Code Enforcement Board as set out in §§ [32.275](#) through [32.290](#).

**COMPLETELY NUDE OR COMPLETE NUDITY.** The showing of any part or portion of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage or the showing of the female breast without any covering of any part of the nipple and areola.

**DIRECTOR.** The Director of the Department of Inspections, Permits and Licenses or his or her designee or the chief administrative officer of any successor department, division or agency of Metro Government which assumes the administrative functions of the current Department of Inspections, Permits and Licenses.

**EMPLOYMENT.** Working or performing services as an agent, employee or contractor of an  bureau.

**ESCORT.** A person who is held out to the public to be available for hire and who for monetary consideration in the form of a fee, commission or salary, to consort with, or accompanies or who offers, for monetary consideration, to consort, or accompany, another or others to or about social affairs, entertainments or places of amusement or within any place of public resort or within any private quarters.

(1) **SERVICE ORIENTED ESCORT.** An escort which:

- (a) Operates from an open office; and
- (b) Does not employ or use an escort runner; and
- (c) Does not advertise that sexual conduct will be provided to the patron or work for an escort bureau which so advertises; and
- (d) Does not offer or provide sexual conduct; and
- (e) Works for, as an agent, employee, contractor or is referred to a patron by a service oriented bureau.

(2) **SEXUALLY ORIENTED ESCORT.** An escort which:

- (a) Employs as an employee, agent or independent contractor an escort bureau runner; or
- (b) Works for, as an agent, employee, contractor or is referred to a patron by a sexually oriented bureau; or
- (c) Advertises that sexual conduct will be provided, or works for, as an employee, agent or independent contractor, or is referred to a patron by an escort bureau which so advertises; or
- (d) Solicits, offers to provide or does provide acts of sexual conduct to an escort patron, or accepts an offer or solicitation to provide acts of sexual conduct for a fee in addition to the fee charged by the escort bureau; or
- (e) Works as an escort without having a current work identification card issued for the referring escort bureau in his or her possession at all times while working as an escort; or
- (f) Accepts a fee from a patron who has not first been delivered a contract; or
- (g) Touches an escort patron or an escort patron's clothing while completely nude or partially nude.

**ESCORT BUREAU.** A person, as defined herein, which for a fee, commission, profit, payment or other monetary consideration, furnishes, refers or offers to furnish or refer escorts, or provides or offers to introduce patrons to escorts.

(1) **SERVICE ORIENTED ESCORT BUREAU.** An escort bureau which:

- (a) Maintains an open office at an established place of business; and
- (b) Employs or provides only escorts which possess work identification cards; and
- (c) Does not use an escort bureau runner; and
- (d) Does not advertise that sexual conduct will be provided to a patron.

(2) **SEXUALLY ORIENTED ESCORT BUREAU.** An escort bureau which:

(a) Operates in any of the following manners:

- 1. Engages in fraudulent, misleading and deceptive advertising designed to make the prospective client believe that acts of prostitution will be provided; or
  - 2. Collects money in advance for the promise of acts of prostitution and refuses to provide same unless additional money is paid to the escort as a tip, token or gratuity; or
  - 3. Uses as escorts, persons known by them to have violated the law regarding prostitution; or
  - 4. Operates the escort bureau as a “call girl” prostitution operation.
- (b) Does not maintain an open office; or
- (c) Employs as an employee, agent or independent contractor, an escort bureau runner; or
- (d) Advertises that sexual conduct will be provided, or that escorts which provide such sexual conduct will be provided, referred or introduced to a patron; or
- (e) Solicits, offers to provide or does provide acts of sexual conduct to an escort patron; or
- (f) Employs, contracts with or provides or refers escorts who do not possess work identification cards as required herein; or
- (g) Does not deliver contracts to every patron or customer; or

(h) Employs or contracts with a sexually oriented **escort** or refers or provides to a patron, a sexually oriented **escort**.

**ESCORT BUREAU RUNNER.** Any third person, not an **escort**, who for a salary, fee, hire, reward or profit, acts as the agent for an **escort** bureau or a patron by contacting or meeting with **escort** patrons or **escort** bureaus at any location other than the established open office whether or not said person is employed by such **escort** bureau or by another business or is self-employed.

**ESCORT PATRON.** A customer or any person who contracts with, or employs, or for monetary consideration hires an **escort** bureau or **escort** or any other person who is the recipient of conduct performed by an **escort** under contract for services.

**LICENSEE.** A person in whose name a license to operate an **escort** bureau has been issued, as well as the individual or individuals listed as an applicant on the application for an **escort** bureau license. In case of an **escort**, it shall mean the person in whose name the work identification card has been issued.

**METRO GOVERNMENT.** Louisville/Jefferson County Metro Government.

**METRO LOUISVILLE.** The geographic boundaries of Jefferson County, Kentucky.

**OFFER TO PROVIDE ACTS OF SEXUAL CONDUCT.** To offer, propose or to solicit to provide sexual conduct to a patron. Such definition includes all conversations, advertisements, and acts which would lead a reasonably prudent person to conclude that such acts were to be provided.

**OPEN OFFICE.** An office at the licensed **escort** bureau address in Metro Louisville from which **escort** business is transacted; to qualify as an open office it is required that:

(1) The office be open to the public and patrons or prospective patrons from 9:00 a.m. until 7:00 p.m. on the days in which an **escort** bureau is in operation and that the office be accessible to business invitees, business license officials and law enforcement officers during all other hours that **escorts** are working;

(2) The office be managed by the owner or a management employee of the owner having authority to bind the bureau to **escort** and patron contracts and adjust patron and consumer complaints;

(3) All telephone lines and numbers listed to the **escort** bureau, or advertised as **escort** bureau numbers terminate at the open office and at no other location;

(4) An index of all employees and **escorts** and their work card numbers be kept in the open office;

(5) All business records be kept at the open office which records shall include, at a minimum, all records of all **escort** calls and referrals, stating the name and address, including

hotel or motel room, of the patron, the date and time of referral, name of **escort** sent and whether or not the referral resulted in an **escort** service and the total fee received from the patron, if any;

(6) The office be in conformity with § [125.07](#)(F); and

(7) The office be located in a location in which **escort** bureaus are permitted to locate under the applicable zoning regulations of Metro Government.

**PARTIALLY NUDE OR PARTIAL NUDITY.** The showing of the male or female buttocks, or the showing of the female breast below a horizontal line across the top of the areola at its highest point. This definition shall include the entire lower portions of the cleavage of the human female breasts except for those portions of the cleavage of the human female breasts from the middle of the split between the breasts to vertical lines extending downward from the edges of the areola closest to the split.

**PERSON.** Any individual, partnership, limited partnership, firm, corporation or association in fact.

**PRINCIPAL.** Any person owning, directly or beneficially, 20% of a corporation's equity securities, 20% or more of the membership interests in a limited liability company, or, in the case of any other legal entity, 20% or more of the interests in the entity.

**SEXUAL CONDUCT.** The engaging in or the commission of an act of sexual intercourse, masturbation, oral/genital contact, or the touching of the sexual organs, pubic region, buttock or female breast of another person for the purpose of arousing or gratifying the sexual desire or appetites of another person or the touching of an **escort** patron or an **escort** patron's clothing by an **escort** while partially or completely nude.

**SEXUAL GRATIFICATION.** See **SEXUAL CONDUCT**.

**SEXUALLY ORIENTED ACTS.** See **SEXUAL CONDUCT**.

**SPECIFIED CRIMINAL ACTIVITIES.** Any of the following offenses:

(1) KRS 510.040, 510.050, or 510.060 (rape in the first, second, or third degree); KRS 510.070, 510.080, or 510.090 (sodomy in the first, second, or third degree); KRS 510.110, 510.120, or 510.130 (sexual abuse in the first, second, or third degree); KRS 510.140 (sexual misconduct); KRS 510.150 (indecent exposure); KRS 517.050 (falsifying business records); KRS 529.020, 529.030, 529.040, or 529.050 (prostitution, promoting prostitution in the first, second, or third degree); KRS 529.070 (permitting prostitution); KRS 531.020, 531.030, or 531.040 (distributing obscene matter, distributing obscene matter to minors, using minors to distribute obscene matter); KRS 218A.140 et seq. (offenses relating to controlled substances); any offense listed in KRS 531.300 through 531.370 (sexual exploitation of minors offenses); engaging in organized crime (KRS 506.120) relating to a sexually oriented business; criminal attempt, conspiracy or solicitation to commit any of the foregoing offenses or offenses in other

jurisdictions that, if the acts would have constituted any of the foregoing offenses if the acts had been committed in Kentucky; for which:

(a) Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

(b) Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

(c) Less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period.

(2) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant.

(1994 Jeff. Code, § 125.03) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Jeff. Am. Ord. 4-2001, adopted and effective 3-27-2001; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004)

## § 125.04 WORK IDENTIFICATION CARDS.

(A) It shall be unlawful for any **escort** bureau to operate unless all **escorts**, principals, managers, officers, directors and employees have obtained work identification cards pursuant to this chapter.

(B) It shall be unlawful for any **escort**, principal, manager, officer, director or employee of an **escort** bureau to be employed by, work for or be an agent of an **escort** bureau unless such person has a valid work identification card. A work card is required for each specific bureau with which a person is employed or for which a person performs compensated services, and must be carried upon the person at all times the person is working or employed on behalf of the **escort** bureau. All **escorts**, principals, managers, officers, directors and employees working for or employed by **escort** bureaus or services as defined herein shall make application for work identification cards.

(C) Prior to the issuance of any work identification card for commencement of employment, renewal or replacement of a lost card, the applicant must obtain a referral slip from the employing **escort** bureau which shall be signed by a principal or a management employee of a principal having authority to bind the **escort** bureau. The applicant shall complete the referral slip and submit it to the director. To obtain the initial work identification card, each applicant shall be fingerprinted and photographed by the Department of Inspections, Permits, and Licenses or the Police Department as determined by the Director.

(D) A work identification card must be renewed within ten days following any change in the place of employment licensed under this chapter and for each calendar year during the card holder's birthday month on or prior to the last day of such month following the card's issuance, whichever first occurs.

(E) No person who has not reached their 18th birthday shall be issued a work identification card. Each applicant for a work identification card must furnish a photograph of himself or herself, a complete set of fingerprints, and a birth certificate, alien registration card or other reasonable identification card to prove such applicant's name, age, place of birth (for resident aliens only) and resident's address. If the applicant intends to work for an **escort** bureau on an independent contractor basis, the applicant shall also provide proof of registration with the Louisville/Jefferson County Metro Revenue Commission and that he or she is in good standing with such Commission.

(F) A work identification card shall not be issued by the Director to any applicant who has been convicted of a specified criminal activity as defined in this chapter. The applicant shall also certify that the applicant has not worked as a sexually oriented **escort** or operated a sexually oriented **escort** bureau. The failure of the applicant to so certify shall result in a denial of a work identification card. If any person holding a valid work identification card is convicted of a specified criminal activity, or is found to have worked as a sexually oriented **escort** or operated a sexually oriented **escort** bureau, such act shall result in revocation of the holder's work identification card and the imposition of the penalties provided in § [125.99](#). If facts exist for denial or revocation of a work identification card for the reasons stated herein, the Director shall notify a person of the denial or revocation of the card. The notice shall inform the person of his or her right to appeal the denial or revocation to the Director. After a work identification card has been revoked for the conviction of a specified criminal activity, the revocation shall continue for two years for misdemeanor offenses from the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date. In the case of felony offenses, the revocation shall continue for five years from the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date. A revocation for failing to certify or doing so falsely regarding working as a sexually oriented **escort** or operating a sexually oriented **escort** bureau shall be for one year and the reissuance of a work identification card shall not be issued for one year from the date revocation takes effect.

(G) The fee for a work identification card shall be \$100. The Director may issue a 60-day temporary work identification card pending complete investigation of the applicant if available evidence does not support the immediate granting or denial of a permanent card. No person required to obtain a work identification card pursuant to this chapter shall be licensed or work as an **escort** without either a temporary or permanent work card. The temporary work card may be extended only once by the Director to obtain further information in his or her investigation and for a period of no more than 30 days.

(H) Each **escort** bureau licensed pursuant to this chapter shall keep a current list of all **escorts** at the licensed business location. Said list shall contain the name and work identification card number of each **escort** and shall be available during all business hours for inspection by the



Director or the Director's agents and the members of the Police Department and/or other law enforcement agency in whose jurisdiction an **escort** bureau is located.

(1994 Jeff. Code, § 125.04) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Jeff. Am. Ord. 4-2001, adopted and effective 3-27-2001; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## **§ 125.05 APPLICATIONS, INVESTIGATIONS AND LICENSE ISSUANCE.**

(A) An **escort** bureau license is a privilege. A separate license is required for each fictitious or other name under which a person conducts business. All business expenses are made at the applicant's risk, as the license may terminate prior to amortization thereof.

(B) All persons desiring to obtain a business license to engage in an **escort** bureau business within Metro Louisville shall first file an application with the Director on a form provided by that office. All persons who furnish property or services to a licensee under any arrangement pursuant to which the person receives payments based on earnings, profits or receipts from the **escort** bureau must file an application pursuant to this section and meet the qualifications set forth herein.

(C) All applicants shall provide the following information under oath:

(1) Whether the applicant has ever been convicted by any state or federal court within the past ten years of any misdemeanor or felony other than minor traffic offenses;

(2) A list of convictions for all specified criminal activities or any criminal convictions involving the use of force or violence upon the person of another, or adverse civil action judgments involving allegations pertaining to fraudulent advertising, sales or trade practices and a detailed explanation of the circumstances;

(3) The complete address (including suite number) of the proposed business location in Metro Louisville, with a copy of the deed, lease or other document pursuant to which applicant occupies such premises;

(4) The person or persons who will have custody of the business records at the business location;

(5) Agent for service of process;

(6) Applicant's name and any aliases, residential address and phone number, a complete set of fingerprints and date of birth;

(7) Applicant's residential, education, military and criminal history background, covering at least a ten-year period immediately preceding the date of filing of the application;

(8) A complete description of the exact nature of the business to be conducted, including office organization, advertising theme and method, employee qualifications and copies of contracts to be used with escorts and escort patrons;

(9) Applicant's business and employment history, stating whether or not the applicant, or applicant's manager, director, officer, or principal have had any business license revoked and stating the details thereof, including the reasons therefore; and

(10) Applicant's financial statement and current and previous business activities and associates, covering at least a five-year period immediately preceding the date of filing of the application.

(D) If an applicant is a limited liability company, partnership or a limited partnership, all application information listed in subsection (C) of this section shall be provided for all of the principals, as if each were a sole proprietor and applicant. If applicant is limited liability company, partnership or limited partnership, it shall also provide a copy of an operating agreement or articles of incorporation, partnership or limited partnership and certificate.

(E) If an applicant is a corporation, all application information listed in subsection (C) of this section shall be provided for each of the directors, officers and principals, the same as if each were a sole proprietor and applicant. A corporate application shall be accompanied by:

(1) A certified copy of the articles of incorporation of such corporation and, if incorporated under the laws of another state, a certificate of qualification to do business in the State of Kentucky; and

(2) A current annual list of officers, directors and resident agent of such corporation.

(F) If the escort bureau is to be operated under a name other than the legal name of the applicant, the application must be accompanied by a copy of the fictitious name certificate on file with the County Clerk of Jefferson County, Kentucky.

(G) In addition to the application, the applicant shall submit a written plan setting forth the method of operation of the escort bureau, which shall include:

(1) The hours that the escort bureau will be open to the public, which hours shall include all hours any escorts are with a patron; and

(2) The methods of supervision of employees to prevent the escort from charging the patron any fee which is in addition to the fee paid to the escort bureau by the patron; and

(3) The methods of supervision which will prevent the escorts from soliciting acts of prostitution or engaging in sexual conduct; and

(4) The applicant's Federal Employer's Identification number; and

(5) The name and the address of the person who will certify the gross receipts upon application for renewal license; and

(6) The applicant shall submit a statement disclosing the names of all principals of the proposed **escort** bureau; and

(7) The method of compensating **escorts**.

(H) The failure to truthfully disclose any of the information required by this section or the failure to make a full disclosure of all facts required shall result in denial of the license, or if subsequent to issuance of a license it is discovered that any applicant or person required to be investigated falsely answered any question on the application or has withheld any facts required to be disclosed hereunder, such failure shall result in revocation of the license and subject such applicant or person to the penalties provided in § [125.99](#).

(I) After the filing of a completed application and payment of all fees, the applicant shall be fingerprinted and referred to the Police Department for investigation and reporting as required by this chapter. The result of said investigation shall be given to the Director within 60 days, or as soon thereafter as possible.

(J) The Director shall deny any application:

(1) If the license application is incomplete; or

(2) If all license and investigation fees are not paid; or

(3) If the applicant or any of its principals has been convicted of a crime listed in subsection (C)(2) of this section or has been enjoined in an adjudicated civil action from engaging in fraudulent advertising or sales or trade practices; or

(4) If the applicant has an associate or principal who has operated a sexually oriented **escort** bureau; or

(5) If the applicant, its principals, partners, officers, or directors do not qualify for or have not obtained work identification cards as required in § [125.04](#); or

(6) If the applicant's financial statements, business activities, background or associates disclose the persons who could not otherwise be licensed pursuant to this chapter or obtain work identification cards are or will be involved in the management or conduct of the day-to-day business affairs of the **escort** bureau; or

(7) If the applicant's financial statements, business activities, background or associates disclose that principals who otherwise could not obtain a license or a work identification card under this chapter have or will have an interest in the ownership of or have an equitable or beneficial right to the profit of the **escort** bureau; or

(8) If any applicant or principal has had any **escort** bureau license revoked pursuant to § [125.10](#) until after the expiration of the revocation period as set forth in § [125.10](#).

(1994 Jeff. Code, § 125.05) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## § 125.06 INVESTIGATION AND LICENSE FEES.

(A) All applicants or other persons for which an investigation is required for the issuance of an **escort** bureau license shall pay a non-refundable investigation fee of \$200 to recover all investigation costs incurred by the Police Department. The Police Department shall maintain a record of all investigative activity with respect to any applicant or other person for which an investigation is conducted including the contemporaneous recording of the date, description of investigative activity and the identity of the investigator(s) performing same. Such investigative records shall be provided to the Director and shall be made available to the applicant upon written request.

(B) All licenses shall be for the fiscal year of July 1 to June 30 or the remaining portion of such fiscal year. The annual license fee shall be \$4,000. All license fees shall be remitted to the Treasurer. In the initial year of operation, if an applicant applies before January 1 of such year, the fee shall be \$4,000. However, if an applicant applies on or after January 1 in its initial year of operation, the fee shall be \$2,000. Application for a renewal of a license shall be made on or before March 15 of each year and accompanied by the annual fee of \$4,000. The renewal application shall also verify the accuracy of the original application or provide any changes or modifications in the information required by § [125.05](#), which may have occurred since the original or previous renewal application.

(C) At the time of any renewal application, the applicant shall also submit a current financial statement for the previous year's business activities of the **escort** bureau and a list of all persons receiving any portion of the net profits of the business. All applications for renewal shall be referred to the Police Department for review and the licensee shall be required to pay the aforementioned \$200 fee in subsection (A), above.

(1994 Jeff. Code, § 125.06) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## § 125.07 **ESCORT** BUREAU DUTIES.

(A) The **escort** bureau shall provide to each patron a written contract and receipt of payment for services. The contract shall clearly state the type of services to be performed, the length of time such services shall be performed, the total amount of money such services shall cost the patron, and any special terms or conditions relating to the services to be performed.

(B) The **escort** bureau shall maintain an office at the licensed location during all hours **escorts** are working. The address of that office shall be included in all patron contracts and published advertisements. Private rooms or booths where the patron may meet with the **escorts**

shall not be provided at the open office or at any other location by the **escort** bureau. Violation of this provision shall result in license revocation and subject any person and/or the **escort** bureau to the penalties set forth in § [125.99](#).

(C) The **escort** bureau, in terms of licensing consequences, is responsible and liable for the acts of all its employees, agents and subcontractors, including, but not limited to, telephone receptionists and **escorts** who are referred by that bureau while the **escort** is with the patron.

(D) The **escort** bureau shall commence business from an open office within 30 days after issuance of the license. In the event an **escort** bureau licensee shall not commence business in an open office within 30 days after issuance of a license, or shall discontinue business or close the open office for a period of 30 days without specific approval of the Director, such license shall terminate and be revoked automatically without action by the Director.

(E) All persons operating as **escort** bureaus or services as defined herein on the effective date of this chapter shall make application or reapplication, in the case of those existing **escort** bureaus for the 2003 fiscal year (i.e. July 1, 2003 - June 30, 2004), which have already submitted an application prior to the March 15th deadline for an **escort** bureau license, within 30 days of the effective date of this chapter in accordance with the terms of this chapter. Upon payment of the \$200 investigative fee required by § [125.06](#), each such applicant shall be granted a 60-day temporary license pending a determination of each applicant's license application. Such temporary license may be extended once for a period of 30 days by the Director to obtain further information in his or her investigation.

(F) The public entrance of an open office of an **escort** bureau shall not be located within 500 feet of any building or structure containing a residential use, a public or private elementary, middle or secondary school, institution of higher education or business college, or any park-mall or park-like area of open space under the control of a governmental agency, or any building used for a place of religious worship, or any building used for a governmental function or public library. Such distance shall be measured along a straight line from the nearest property line of the property on which the building, structure or public park-like area is located to the public entrance of the open office of an **escort** bureau. This subsection (F) shall not preclude an open office from being used as a residence provided that the distance requirement set forth in this subsection (F) is adhered to.

(1994 Jeff. Code, § 125.07) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## § 125.08 ADVERTISING BY **ESCORT** BUREAUS.

It is unlawful to advertise or hold out to the public the availability of an **escort** or **escort** bureau without obtaining a license therefor as provided in this chapter, whether the actual business of **escorts** or **escort** bureau as defined in this chapter is performed or not.

(1994 Jeff. Code, § 125.08) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## 📖 § 125.09 CEASE AND DESIST ORDERS.

(A) The Director may issue an order requiring a licensee to cease and desist any violation of this chapter if the Director, upon investigation, determines that a licensee has violated any provision of this chapter.

(B) The licensee may appeal in writing within 20 days of receipt of any cease and desist order issued by the Director and said appeal shall be reviewed and a decision made by the Director within 30 days from receipt of the written notice of appeal. The appeal shall state all facts and law upon which the licensee shall rely to establish the error of such order. The remedy of appeal to the Director shall be exhausted prior to the institution of an action for judicial review in all cases of license denial, refusal to renew, or orders of cease and desist.

(1994 Jeff. Code, § 125.09) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004)

## 📖 § 125.10 REVOCATION OF LICENSE.

(A) The Director shall revoke or refuse to renew any **escort** bureau license after notice and hearing as provided herein if the Director determines on the basis of substantial evidence that the licensee, its agent, employee, **escort**, associate, principal, partner, director, officer, manager or person exercising managerial authority of or on behalf of the licensee has committed one or more of the following acts:

(1) Continued to violate any of the provisions of this chapter after issuance of a cease and desist order, which shall result in revocation of an **escort** bureau license for 12 months from date of the issuance of a revocation order in accordance with subsection (B), below; or

(2) Conviction of a specified criminal activity in any court subsequent to the filing of the application for a license, which shall result in the revocation of an **escort** bureau license from the date of the issuance of a revocation order in accordance with subsection (B), below, for the same time periods as applicable to the revocation of work identification cards for misdemeanor and felony offenses in § [125.04](#)(F); or

(3) Knowingly made any false, misleading or untruthful statements, intentional misrepresentations of a material fact, or concealed material facts in an application for a business license, or report or record required to be filed with the Director. It is presumed any information in an application, report or record is made knowingly if signed by the applicant or authorized agent. Any revocation made pursuant to this subsection shall be for 12 months from the date of the issuance of a revocation order in accordance with subsection (B), below; or

(4) Committed any act, other than as provided in subsection (A)(2), above, which is included within the definition of a sexually oriented **escort** bureau, and which shall result in revocation of an **escort** bureau license for two years from the date of the issuance of a revocation order in accordance with subsection (B), below; or

(5) Conducted the **escort** bureau in any manner which would be grounds for denial as stated in § [125.05](#)(J)(6) or (7), which shall result in revocation of an **escort** bureau license for 12 months from the date of the issuance a revocation order in accordance with subsection (B), below; or

(6) Conducted or advertised an **escort** business under an unlicensed fictitious name, or at unlicensed address, which shall result in revocation of an **escort** bureau license for 12 months from date of the issuance of a revocation order in accordance with subsection (B), below; or

(7) Published, uttered, disseminated, or conveyed, either publicly or privately, to an individual any false, deceptive or misleading statements or advertisements in connection with the operation of a business licensed hereunder, which shall result in revocation of an **escort** bureau license for 12 months from date of the issuance of a revocation order in accordance with subsection (B), below; or

(8) Maintained an **escort** business in a structure or building which does not have a valid certificate of occupancy, a current certificate from the State Fire Marshal, or other fire marshal having authority to enforce fire codes within that fire district, that all applicable fire regulations have been met and a letter of compliance issued by the zoning administrator of the Metro Government or his or her designee. Any revocation of an **escort** bureau license in accordance with subsection (B), below, shall be indefinite until such time as the licensee has fully complied with the provisions of this subsection; or

(9) Failed to register with the Louisville/Jefferson County Metro Revenue Commission or be in compliance with the Occupational License Fee laws, which shall result in revocation of an **escort** bureau in accordance with subsection (B), below, indefinitely until such time as the licensee has fully complied with the provisions of this subsection; or

(10) Committed any act constituting dishonesty or fraud, or committed any unlawful, false, fraudulent, deceptive or dangerous act while conducting business or conducted or maintained the business in any manner contrary to the laws of the Metro Government or the Commonwealth of Kentucky other than acts described in subsection (A)(2), above, which shall result in revocation of an **escort** bureau license for 12 months from the date of the issuance of a revocation order in accordance with subsection (B), below; or

(11) Otherwise violated any provisions of this chapter not mentioned in the aforementioned subsections (1) through (10), which shall result in revocation of an **escort** bureau license for 12 months from the date of the issuance of a revocation order in accordance with subsection (B), below; or

(12) Employed an **escort** not licensed with the **escort** bureau, which shall result in revocation of an **escort** bureau license for 24 months from the date of the issuance of a revocation order in accordance with subsection (B), below.

(B) When the Director determines to hold a hearing pursuant to this section, he or she shall serve written notice of the hearing and of the specific matter or violations to be determined. Said



notice shall be served upon the licensee or applicant at the address listed for the licensee or applicant in the application at least 20 days in advance of said hearing. Service of notice shall be deemed complete upon certified mailing, return receipt requested, or personal delivery by the Director's authorized agent. At the hearing, the Director shall afford the licensee or applicant an opportunity to be represented by counsel, to present evidence, to cross-examine witnesses and otherwise to rebut the evidence presented against the licensee. Within ten days after the hearing, the Director shall issue his or her findings and shall determine the sanction, if any, to be imposed on the licensee, including revocation of the license.

(C) The findings and rulings of any hearing before the Director shall be a final determination of the issues raised and may be appealed to or challenged in a court of competent jurisdiction, but shall be enforced during the pendency of any such appeal unless otherwise ordered by a court of competent jurisdiction.

(D) For purposes of this section, the revocation of an **escort** bureau license shall include all **escort** bureau licenses in which there is a majority of common ownership, common management, centralized control and interrelation of operations.

(1994 Jeff. Code, § 125.10) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## § 125.11 UNLAWFUL CONDUCT

(A) It shall be unlawful for any person to act as a sexually oriented **escort** or provide sexual conduct, or offer to provide acts of sexual conduct, while acting as an **escort**.

(B) It shall be unlawful for any person to operate a sexually oriented **escort** bureau.

(C) It shall be unlawful for any person to operate an **escort** bureau without a license.

(D) It shall be unlawful to violate any other provision of this chapter and any person who commits any such violation will be subject to revocation of such person's work identification card, and/or license as provided herein. Such revocation shall be in addition to any other penalties provided in § [125.99](#).

(1994 Jeff. Code, § 125.11) (Jeff. Ord. 4-2001, adopted and effective 3-27-2001; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004) [Penalty, see § 125.99](#)

## § 125.98 SEVERABILITY.

If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

(1994 Jeff. Code, § 10.07) (Jeff. Ord. 36-1994, adopted and effective 12-20-1994; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004)



## § 125.99 PENALTIES.

(A) Any person who: (1) commits any act prohibited by § [125.11](#); or (2) knowingly provides any false information in an attempt to procure the issuance of a license or work identification card or to retain such license or work identification card; shall be subject to a minimum civil penalty of \$500 or a maximum civil penalty of \$1,000. Any person cited pursuant to this subsection (A) may pay the minimum civil penalty within seven days from the date of issuance or request a hearing regarding such penalty to the Code Enforcement Board in accordance with the procedures as set forth in §§ [32.275](#) - [32.290](#). If the person fails to respond to the citation within seven days as referenced above, the person shall be deemed to have waived the right to a hearing. In this event, the Code Enforcement Board shall enter a final order determining that the violation was committed and impose the maximum civil penalty as set forth in the citation. Each day that a violation continues after a citation has been issued shall be deemed a separate offense.

(B) Notwithstanding subsection (A) above, any person who commits any act prohibited by § [125.11](#) or who knowingly provides false information in an attempt to gain or maintain a license, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$250 nor more than \$500 or imprisonment not to exceed 90 days, or both, for each offense. Each day that a violation continues after a citation has been issued shall be deemed a separate offense.

(C) In addition to the penalties provided herein for violations of this chapter, the Director is authorized to pursue remedial civil actions for violations of this chapter by civil complaint or petition for injunctive relief, declaration of rights or other appropriate proceedings filed in the Jefferson County, Kentucky Circuit Court.

(1994 Jeff. Code, § 125.12) (Jeff. Ord. 8-1996, adopted and effective 2-27-1996; Jeff. Am. Ord. 4-2001, adopted and effective 3-27-2001; Lou. Metro Am. Ord. No. 92-2004, approved 7-1-2004)

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